

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS EYE & EAR INFIRMARY,)

Plaintiff,)

vs.)

Case No. 1:05-cv-11229-NMG

EUGENE B. CASEY FOUNDATION and)

THOMAS F. REILLY, as he is the Attorney General)

of The Commonwealth of Massachusetts,)

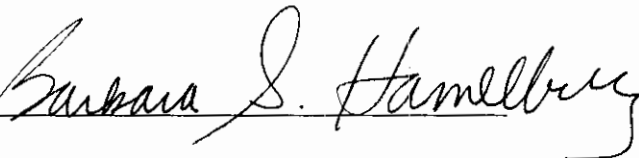
Defendants.)

**UNOPPOSED MOTION BY EUGENE B. CASEY FOUNDATION FOR EXTENSION TO
EXCHANGE AUTOMATIC DISCOVERY**

The Eugene B. Casey Foundation hereby moves for an extension from September 15, 2005 to September 21, 2005 to exchange automatic discovery with the Massachusetts Eye & Ear Infirmary. The motion is not for the purpose of delay but is to accommodate the schedule of counsel for the Foundation who is out of the office this week. Counsel for the Foundation has conferred with counsel for the MEEI, who does not oppose this motion. No memorandum of law or affidavit is submitted in support of this motion since there are no disputed issues of fact or law.

Dated: September 12, 2005.

Respectfully submitted,

By: 

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document
was served upon the attorney of record for each other
party by (hand) (mail) on 9/12/05

M.E.J.

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Defendants.)

ORDER

The Court hereby GRANTS the Eugene B. Casey Foundation's Unopposed Motion for an Extension to Exchange Automatic Discovery. Automatic Discovery shall be exchanged on or before September 21, 2005.

SO ORDERED.

Dated: September ____, 2005.

Hon. Nathaniel M. Gorton